# Chapter 16 - Organization and Authority of the Intelligence Community

## This chapter is mostly structural. Read the questions provided by the authors in their notes as you go through the chapter. Try to get a feel for the different entities. These are some questions about some of the principles at issues. The key point we want to talk about is the basic organization and the philosophical shift after 9/11. This chapter just sets up the framework. The subsequent chapters flesh out what the agencies do and the legal constraints on those actions.

## Things to think about

### What was behind important intelligence failures such as Pearl Harbor, Bay of Pigs, Iranian hostage crisis, 9/11 and Iraqi WMDs?

#### Pearl Harbor - 1941 - The Japanese had already bombed bases farther West in the Pacific.

##### Why didn't we move the ships out of the harbor?

#### Bay of Pigs

##### 4 American pilots and over 100 Cuban invaders were killed in battle | 1,400 Cuban invaders felt betrayed by their sponsor | One U.S. senator lied to the United Nations | One U.S. president was embarrassed in front of the world April 1961

#### Iran hostage crisis

##### Should the CIA have figured out that letting the Shah of Iran in was going to be trouble?

##### Should they have emptied the embassy?

### Is it failure of basic information? Analysis? Strategic judgment?

### What can the government keep secret and how far can it go to do it?

### What can the government do to collect intelligence, both foreign and domestic?

### How far can the government go with covert operations as a tool of foreign policy?

### What is the cost to domestic society as we increase surveillance of citizens?

### Is it a good idea to move from clearly separated foreign/domestic and national/local surveillance and policing to an integrated national surveillance and policing system?

## Keeping secrets

### Did the founders anticipate that there would be government secrets?

### What about the constitutional convention itself?

### What did they think of legislative history?

### Was Congress allowed to keep its proceedings secret?

### What was the practice for executive branch agencies until FOIA?

### Why is congressional reporting a problem for secrecy?

### Why did Ford object to broadening reporting requirements?

### What can you do to a congressman who leaks info?

### What if Berkley elects a communist to Congress?

## Origin of the CIA

### What did the president do for intelligence before World War II?

### Was there a specific foreign intelligence service?

### What was the WWII agency that became the CIA?

### Why is the Central Intelligence Agency Act of 1949 seen as ratifying clandestine intelligence gathering?

### What does the NSA do?

## National security act of 1947 established the modern foreign intelligence service

### What is the Directory of National Intelligence added after 9/11?

### Who does Director of National Intelligence provide intelligence to:

### What sources of intelligence does the Director of National Intelligence have access to?

### What is the relationship between the DNI and heads of the NSA and the CIA?

### What major source of info is missing from this description?

### What threat do these provisions pose?

## What did the 9/11 commission recommend?

## Does this overturn the traditional division between domestic and international intelligence?

### Historically, who did national domestic surveillance?

### Who did foreign?

### Why were they divided?

### Does this division make sense?

### How is surveillance and policing done at the state and local level?

### Did all of these levels communicate effectively?

### Why could this be a problem?

### Why was this division seen as important to protecting liberty?

### Why do we elect sheriffs and judges, when their jobs call for specific skills that elections do not measure well?

### What is are the risks of having a single agency covering everything from foreign to local, under a single executive branch secretary?

## What is the Privacy and Civil Liberties Oversight Board?

## Who does it depend on for its powers?

## Why is this a problem?

## What is the budget intelligence and how is it divided?